

ATTACHMENT 1
APPLICATION OF GUNTHER MANAGEMENT LLC
FOR
SECTION 214 AUTHORITY

Question 9

Applicant qualifies for streamlined processing pursuant to 47 C.F.R. § 63.12. As explained in its response to Question 11, the Applicant's controlling principals have an affiliation, as defined by 47 C.F.R. § 63.09(e) of the Commission's rules, with a foreign carrier in Bermuda, Argentina and Peru. Nonetheless, Applicant qualifies for streamlined processing because it satisfies two of the exceptions set forth in 47 C.F.R. § 62.12(c)(1)(i)-(vi). First, the Applicant qualifies for a presumption of non-dominance under 63.10(a)(3) because the subject foreign affiliates do not have 50 percent market share in the international transport and the local access markets in Bermuda, Argentina and Peru. 47 C.F.R. § 63.12(c)(1)(ii). Second, the affiliated foreign carriers are mobile wireless service providers and the facilities they own are related only to mobile wireless services. 47 C.F.R. § 63.12(c)(1)(iii).

Question 11

47 C.F.R. § 63.18(i)

The Applicant certifies that it is affiliated with the following foreign carriers: TelNet, Ltd (Bermuda), Iffix SA (Argentina) and Iybarra SA (Peru). The affiliation with these foreign carriers arises through its controlling principals: Anthony J. Recchia and Facundo de Puch. Mssrs. Recchia and de Puch own a majority interest in TelNet Ltd, ("TelNet") an entity organized under the laws of Bermuda. TelNet, in turn, owns a controlling 89 percent in Iffix SA. TelNet presently owns a 6 percent interest in Iybarra but has an option to acquire up to 60 percent interest and obtain a majority of the board of director seats.

47 C.F.R. § 63.18(j)

The Applicant certifies that it seeks Global or Limited Global Resale Authority to all international points, including Bermuda, Argentina and Peru. As explained above, the controlling principals of the Applicant have control or an option to obtain control in the following foreign carriers: TelNet (Bermuda), Iffix SA (Argentina) and Iybarra SA (Peru).

47 C.F.R. § 63.18(k)

- (1) Bermuda is a WTO member. Applicant's affiliated foreign carrier, TelNet, lack market power in Bermuda.
- (2) Argentina is a WTO member. Applicant's affiliated foreign carrier, Iffix SA, lacks market power in Argentina.
- (3) Peru is a WTO member. Applicant's affiliated foreign carrier, Iybarra SA lacks market power in Peru.

47 C.F.R. § 63.18(l)

The Applicant qualifies for a presumption of non-dominance under 63.10(a)(3) because neither TelNet, Iffix SA or Iybarra SA have 50 percent market share in the international transport and the local access markets in Argentina and Peru, respectively. TelNet, Iffix SA and Iybarra SA provide only limited mobile services and do not engage in the sale of international services.

47 C.F.R. § 63.18(m)

See response to 63.18(l).

Question 13

In addition to those destinations listed in response to question 12, Applicant seeks to provide Global or Limited Global Resale Authority to all other international points.

Question 15

47 C.F.R. § 63.18(d)

Applicant certifies that it has not previously received Section 214 Authority.

47 C.F.R. § 63.18(e)(4)

Not Applicable.

47 C.F.R. § 63.18(g)

Not Applicable.